## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

LARRY LEE HENDERSON,	)	
	)	
Plaintiff,	)	
	)	
V.	)	No. 4:10-CV-2211 CAS
	)	
ST. LOUIS COUNTY DEPARTMENT	)	
OF JUSTICE SERVICES, and ST. LOUIS	)	
COUNTY DEPARTMENT OF HEALTH,	)	
	)	
Defendants.	)	

## **ORDER OF DISMISSAL**

Upon review of the Court file, plaintiff has failed to comply with the Court's order dated February 24, 2011,<sup>1</sup> which required plaintiff to submit a prisoner account statement to this Court so that the initial partial filing fee could be calculated. Rule 41(b) of the Federal Rules of Civil Procedure permits the Court to dismiss a case for failure to prosecute or to comply with a Court order.<sup>2</sup>

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's complaint is **DISMISSED** without prejudice pursuant to Fed. R. Civ. P. 41(b).

<sup>&</sup>lt;sup>1</sup>The Court resent this Memorandum and Order to plaintiff's new address on April 14, 2011.

<sup>&</sup>lt;sup>2</sup>The Court notes that even if plaintiff had complied with the Court's prior Order requiring the filing of his prisoner account statement, the Court would be compelled to grant defendants' motion to dismiss this action, as St. Louis County Department of Justice Services and St. Louis County Department of Health are subdivisions of St. Louis County, and thus are not separately suable. See Ketchum v. City of West Memphis, 974 F.2d 81, 82 (8th Cir. 1992).

## IT IS FURTHER ORDERED that plaintiff's motion for preliminary injunction is **DENIED** as moot. [Doc. 5]

IT IS FURTHER ORDERED that defendants' motion to dismiss is **DENIED as moot**.

[Doc. 14]

CHARLES A. SHAW

UNITED STATES DISTRICT JUDGE

Dated this 20th day of June, 2011.